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09/034,934	03/04/1998	MICHAEL D. ELLIS	UV-43	4014

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EXAMINER

BUI, KIEU OANH T

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 02/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/034,934

Applicant(s)

ELLIS ET AL.

Examiner

KIEU-OANH T BUI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-150 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-150 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5&6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.*

2. Claims 1-4, 8-35, 41-88, 91-95, 99-177, and 179-180 are rejected under 35 U.S.C. 102(e) as being anticipated by Etheredge (U.S. Patent No. 6,172,674).

Regarding claim 1, Etheredge discloses a television program guide system implemented on user television equipment (Figs 1 & 4, and col. 1/lines 20-37), comprising:

“ means for providing an option for a user to select a plurality of preference attributes that are indicative of the user's television programming interests”, i.e., an option for user to select includes a plurality of selection levels, each associated with a set of selection criteria for television programming (col. 1/lines 53-67);

“ means for providing an option for the user to select one of at least several preference levels for each of the plurality of selected preference attributes”, i.e., the user can select one of at least several preference levels, for instance, like or dislike or have no opinion, for each of the plurality of selected preference attributes such as “View List”, “Favorites”, “Critics” and so on (as illustrated in Fig. 29, and col. 20/line 62 to col. 21/line 37 as well as Table 1 of col. 20 for selection levels); and

“means for displaying a list of programming based on the selected preference attributes and selected preference levels”, i.e., the selected preference attributes and selected preference levels are displayed to users as the main focus of this technique (col. 1/line 53 to col. 2/line 6).

As for claim 2, in further view of claim 1 above, Etheredge further discloses “comprising means for providing an option of creating a preference profile with which the selected preference attributes and the selected preference levels are associated”, i.e, options for selecting or creating a preference profile and the selected preference levels are clearly revealed by Etheredge (Figs. 4, 7, 16, 19, 29 & 30, and col. 20/line 17 to col. 22/line 10 for more details on this issue).

As for claim 3, in further view of claim 2 above, Etheredge discloses “comprising means for providing an option of selecting a preference scope that is associated with the preference profile”, i.e., preference scope such as whether like or dislike associated with “Favorites” (channels) of the preference profile (Fig. 29, and col. 20/line 62 to col. 21/line 37).

As for claim 4, in further view of claim 2 above, Etheredge teaches “wherein there are multiple profiles, the system further comprising means for providing an option of selecting which of the profiles to make active”, i.e., multiple profiles for View List, Favorites, Critics and so on are shown up on the display screen for user to select (Fig. 29).

As for claim 8, in further view of claim 2 above, Etheredge further discloses “wherein at least two of the preference profiles are active and wherein the means for displaying displays the list of programming based on the selected preference attributes and selected preference levels in the two preference profiles, the system further comprising means for indicating which of the programs in the list of programming satisfy which of the preference profiles”, i.e, a preference list of more than at least two of the preference profiles, for instance, favorites, critics or topics are displayed to users with a choice to update the selected preference attributes and selected preference levels in those preference profiles (as illustrated in Fig. 29, and col. 20/line 62 to col. 21/line 17).

As for claim 9, in further view of claim 8 above, Etheredge further discloses “wherein the means for indicating comprises means for listing the programs that satisfy one of the two profiles using one color and the programs that satisfy the other of the two profiles using another color”, i.e., the color lights 962 & 963 and so on... will represent graphical depiction or without the graphical depiction of user selection in the display based on the slider 234 from interest level 0 to 9, thus, the color light will be different for one (non-selected) and for the other (selected) (see Fig. 29, and col. 20/line 62 to col. 21/line 37).

As for claim 10, in further view of claim 8 above, Etheredge teaches “wherein the means for indicating comprises means for listing the programs that satisfy one of the two profiles using one pattern and the programs that satisfy the other of the two profiles using another pattern”, i.e., steps for searching or listing one of two profiles using different patterns, for instance, a pattern for searching or listing the “Topics” is different than a pattern for searching or listing the “Titles” (as illustrated in Figs. 10 & 11).

As for claim 11, in further view of claim 8 above, Etheredge further teaches “wherein the means for indicating comprises means for listing the programs that satisfy one of the two profiles using one icon and the programs that satisfy the other of the two profiles using another icon”, i.e., various icons or symbols can be used for identifying additional information about a program (see Figs. 24-25, 27-28 and col. 19/lines 27-52).

As for claim 12, in further view of claim 4 above, Etheredge discloses “wherein the means for displaying the list of programming based on the selected preference attributes and selected preference levels further comprises means for displaying the list of programming based on the selected preference attributes and selected preference levels associated with the multiple profiles”, i.e, a preference list of multiple profiles, for instance, favorites, critics or topics are displayed to users with a choice to update the selected preference attributes and selected

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preference levels in those preference profiles (as illustrated in Fig. 29, and col. 20/line 62 to col. 21/line 17).

As for claim 13, in further view of claim 4, Etheredge teaches “further comprising means for allowing tuning to certain channels based on the selected preference attributes and selected preference levels associated with the multiple profiles” (as illustrated in Figs. 4, 14, 15 for a program guide with the options for user to select a preference list such as Channel, Topic, People in item 290 of Fig. 15).

As for claims 14-18, in further view of claim 2, Etheredge further teaches “comprising means for allowing the user to tune to a selected program, wherein the means for providing the option of creating the preference profile further comprises means for creating the preference profile based on characteristics of the selected program”; “wherein the means for creating the preference profile based on the characteristics of the selected program further comprises means for creating the preference profile based on the title of the selected program”; “wherein the means for creating the preference profile based on the characteristics of the selected program further comprises means for creating the preference profile based on the genre of the selected program”; and “wherein the means for creating the preference profile based on the characteristics of the selected program further comprises means for creating the preference profile based on the channel of the selected program”; and “wherein the means for creating the preference profile based on the characteristics of the selected program further comprises means for creating the preference profile based on the rating of the selected program”, i.e., profiles are created based on characteristics of the selected program such as based on view record, actors, daily shows, channels, titles, genre or topics and ratings or restrictions (see Figs. 3, 5, 6, 8-9, 10-11, 12 & 29; and col. 5/line 25 to col. 6/line 61).

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As for claim 19, in further view of claim 2, Etheredge further discloses “comprising means for allowing the user to highlight a given program listing, wherein the means for providing the option of creating the preference profile further comprises means for creating the preference profile based on characteristics of the highlighted program listing”, i.e., a program can be highlighted with a different color (as illustrated in Fig. 26, and col. 19/line 53 to col. 20/line 17).

As for claims 20-26, in further view of claim 19 above, the steps of “wherein the means for creating the preference profile based on the characteristics of the highlighted program listing further comprises means for creating the preference profile based on the title of the highlighted program listing”; “wherein the means for creating the preference profile based on the characteristics of the highlighted program listing further comprises means for creating the preference profile based on the genre of the highlighted program listing”; “wherein the means for creating the preference profile based on the characteristics of the highlighted program listing further comprises means for creating the preference profile based on the channel of the highlighted program listing”; “wherein the means for creating the preference profile based on the characteristics of the highlighted program listing further comprises means for creating the preference profile based on the rating of the highlighted program listing”; “means for allowing the user to tune to a selected program; and means for modifying a preference profile with which the selected preference attributes and the selected preference levels are associated based on the characteristics of the selected program”; “means for allowing the user to highlight a given program listing; and means for modifying a preference profile with which the selected preference attributes and the selected preference levels are associated based on the characteristics of the highlighted program listing”; and “means for providing a profiles display with which the user may modify a preference profile with which the selected preference attributes and the selected

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preference levels are associated” are taught by Etheredge as already disclosed in claims 12-19 above.

As for claim 27, in further view of claim 2, Etheredge further teaches “comprising means for providing a hot list of programs satisfying the preference profile”, i.e., a favorites list is considered to be a hot list of programs satisfying the preference profile for users, and with table 29 a user can create a favorite list for himself (Fig. 29/item 954, and col. 20/line 62 to col. 21/line 37).

Regarding claims 28-35, these claims for a program guide system defined in claim 27 further “comprising means for providing an option for displaying the hot list a short time before the scheduled broadcast times of programs on the hot list and for adjusting this time”; “wherein the means for providing the hot list further comprises means for providing the hot list sorted by start time”; “wherein the means for providing the hot list further comprises means for providing the hot list sorted by channel”; “wherein the means for providing the hot list further comprises means for providing the hot list sorted by priority”; “wherein the means for providing the hot list sorted by priority further comprises means for providing the hot list with pay-per-view programming having highest priority and being listed first”; “further comprising means for allowing tuning to certain channels based on the selected preference attributes and selected preference levels”; “further comprising means for providing an option of specifying a sort order for each of the selected preference attributes”; and “further comprising means for allowing tuning to certain channels based on the specified sort order” are taught by Etheredge as disclosed in claims 12-27 with sorting technique as illustrated in Fig. 23.

Regarding claim 41, in further view of claim 1 above, Etheredge further teaches “comprising means for providing a personal identification number setup screen”, each user can have a personal ID to set up profiles with a password (col. 5/lines 41-51).

As for claims 42-48, in further view of claim 41 above, these claims of “wherein the means for providing the personal identification number setup screen further comprises means for providing a plurality of personal identification number options associated with a preference profile with which the selected preference attributes and the selected preference levels are associated”; “wherein the means for providing the personal identification number options further comprises means for setting whether a personal identification number is required for activating the profile”; “wherein the means for providing the personal identification number options further comprises means for setting whether a personal identification number is required for deactivating the profile”; “wherein the means for providing the personal identification number options further comprises means for setting whether a personal identification number is required for viewing which preference attributes are associated with the profile”; “wherein the means for providing the personal identification number options further comprises means for setting whether a personal identification number is required for modifying which preference attributes have an associated preference level of illegal”; “wherein the means for providing the personal identification number options further comprises means for setting whether a personal identification number is required for modifying which preference attributes have an associated preference level of mandatory”; “wherein the means for providing the personal identification number options further comprises means for setting whether a personal identification number is required for modifying like and dislike preference levels” are taught by Etheredge because the personal ID is necessary identification information for user to access their own profiles and all the discussed limitations above in claims 12-35 to be followed (Fig. 3, and col. 5/lines 41-51).

Regarding claim 49, in further view of claim 1, Etheredge teaches “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a given airing of a program as a preference attribute”, i.e., an option is addressed for users to select (Figs. 13, 15, 16, 19, 23-26 & 29-30).

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Regarding claims 50-64, these claims for “means for allowing the given airing of the program selected as a preference attribute to expire after the program has been aired”; “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a broadcast characteristic as a preference attribute”; “wherein the means for providing the option of selecting a broadcast characteristic as a preference attribute further comprises means for providing closed-captioning as a preference attribute”; “wherein the means for providing the option of selecting a broadcast characteristic as a preference attribute further comprises means for providing second audio program as a preference attribute”; “further comprising means for providing an option of specifying a sort order for each of the selected preference attributes”; “further comprising means for displaying the list of programming based on the specified sort order”; “further comprising means for providing the user with an option of selecting a preference scope”; “further comprising means for displaying the list of programming based on the selected preference scope”; “further comprising means for allowing tuning to certain channels based on the selected preference scope”; “wherein the means for providing the user with the option of selecting the preference scope further comprises means for selecting a preference scope selected from the group consisting of: narrow scope, moderate scope, and wide scope”; “wherein the preference levels include like, dislike, illegal, and mandatory, and wherein the means for providing the user with the option of selecting the preference scope further comprises means for selecting a preference scope that includes liked programs that are not more disliked and that have all mandatory attributes and no illegal attributes”; “wherein the preference levels include like, dislike, illegal, and mandatory, and wherein the means for providing the user with the option of selecting the preference scope further comprises means for selecting a preference scope that includes programs that have no disliked preference attributes and that have all mandatory attributes and no illegal attributes”; “wherein the preference levels include like, dislike, illegal, and mandatory,

and wherein the means for providing the user with the option of selecting the preference scope further comprises means for selecting a preference scope that includes programs that have all mandatory attributes and no illegal attributes”; “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a type of channel as a preference attribute”; and “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a program series as a preference attribute” are taught by Etheredge as disclosed in earlier claims 1-4, 8-35, and 41-49 above.

Regarding claims 65-75, in further view of claim 1, Etheredge further teaches “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a genre of programming as a preference attribute”; “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting at least one rating as a preference attribute”; “means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a given actor or actress as a preference attribute”; “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a given topic as a preference attribute”; “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a word in a program description as a preference attribute”; “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a given program start time as a preference attribute”; “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a range of broadcast times

as a preference attribute”; “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting original programming as a preference attribute”; “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a given language as a preference attribute”; “wherein the means for providing the option for the user to select a plurality of preference attributes further comprises means for providing an option of selecting a critics rating as a preference attribute”; and “further comprising means for providing an option of deselecting at least one of the selected preference attributes”, i.e., an option is addressed for users to select (Figs. 13, 15, 16, 19, 23-26 & 29-30) and user profiles are created based on characteristics of the selected program such as based on view record, actors, daily shows, channels, titles, genre or topics and ratings or restrictions (see Figs. 3, 5, 6, 8-9, 10-11, 12 & 29; and col. 5/line 25 to col. 6/line 61).

As for claims 76-78, Etheredge further discloses “wherein the preference levels include at least like and dislike”; “wherein the preference levels include at least strong like and weak like”; and “wherein the preference levels include at least strong dislike and weak dislike” (Fig. 29 with a slider in options in showing the highest interest or the lowest interest).

As for claims 79-87, these claims for “means for providing an opportunity to select a dedicated favorites by-time display format option with which the list of programming is displayed”; “comprising means for providing an opportunity to select a favorites always on display mode option”; “means for providing an opportunity to select a display mode in which all programs are displayed but in which highlight movement is restricted to programs satisfying a preference profile with which the selected preference attributes and the selected preference levels are associated”; “further comprising means for providing a flip feature that can be tuned only to programs satisfying a preference profile with which the selected preference attributes and the selected preference levels are associated”; “further comprising means for providing a browse

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feature that can be tuned only to programs satisfying a preference profile with which the selected preference attributes and the selected preference levels are associated”; “further comprising means for providing an option for creating a master preference profile”; “ wherein a plurality of preference profiles including a master preference profile are active, the system further comprising means for resolving conflicts between preference profiles in favor of the master preference profile”; “wherein a master preference profile that is accessed by a master personal identification number is used to define certain television viewing preferences, the system further comprising means for displaying the list of programming based on the master profile”; and “wherein a master preference profile that is accessed by a master personal identification number is used to define certain television viewing preferences, the means for displaying the list of programming further comprising means for displaying the list of programming based on selected preference attributes and selected preference levels in the master profile” are taught by Etheredge with a parent profile as a master profile in controlling accesses for their children (Fig. 3 and col. 5/lines 25 to col. 6/line 45 and earlier discussions in claims 1-4, 8-35, 41-49 above).

As for claim 88, in further view of claim 1, Etheredge further shows “comprising: means for providing an option of creating a preference profile with which the selected preference attributes and the selected preference levels are associated; and means for providing an opportunity for setting non-program settings associated with the preference profile”, i.e, non-program settings such as critics associated with the preference profiles (Fig. 29).

As for claim 91, in further view of claim 1, Etheredge further teaches “comprising: means for providing an opportunity for creating multiple preference profiles, each of which has an associated set of selected preference attributes and selected preference levels; means for providing an option of selecting which of the profiles to make active; and means for providing access to a messaging service based on information on which profile is active”, i.e, a preference list of multiple profiles, for instance, favorites, critics or topics are displayed to users with a

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choice to update the selected preference attributes and selected preference levels in those preference profiles (as illustrated in Fig. 29, and col. 20/line 62 to col. 21/line 17).

Regarding claims 92-95, 99-177, and 179-180, these claims for “a television program guide system implemented on user television equipment, comprising: means for providing an option for a user to select a plurality of preference attributes that are indicative of the user's television programming interests; means for providing an option for the user to select one of at least several preference levels for each of the plurality of selected preference attributes; and means for allowing tuning to certain channels based on the selected preference attributes .and selected preference levels” are rejected for the reasons given in the scope of claims 1-4, 8-35, 41-88, and 91 as already disclosed in details above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-7, 36-40, 89-90, 96-98, and 178 are rejected under 35 U.S.C. 103(a) as being unpatentable over Etheredge (U.S. Patent No. 6,172,674) in view of Williams et al. (U.S. Patent No. 5,977,964).

Regarding claims 5 and 96, Etheredge does not mention to “further comprising means for turning on an auto-reminders feature”; however, this technique is taught by Williams et al (or “Williams” hereinafter). In fact Williams discloses a method and apparatus for automatically configuring a system based on user's monitored system interaction and preferred access times,

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within the same endeavor of using user profiles in setting up preference list of programming channels, a same technique of offering the turn on an auto-reminders feature for users easy to remember, realize or record an upcoming program or event in advance if they do not want to miss that event (see Williams, Fig. 4 and col. 12/lines 29-44 & col. 6/lines 25-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Etheredge's system with Williams's disclosed technique of using an auto-reminders feature in order to provide users a convenient tool for preparing in watching or recording an upcoming event in advance without having a chance to miss it.

As for claims 6 and 97, in further view of claims 5 and 96 above, Williams further teaches "wherein a given one of the profiles is active, the system further comprising means for displaying automatic reminders when the auto-reminders feature is turned on based on the active profile just prior to the scheduled broadcast times of programs satisfying the active profile", i.e., when the system is turned on or active, auto-reminders feature is turned on based on the user active profile prior to the scheduled broadcast times, for instance, a couple of days or weeks (as illustrated in Figs. 2 and 4, and col. 12/lines 29-44).

As for claims 7 and 98, in further view of claims 5 and 97 above, Williams further teaches "comprising: means for providing a view now option for programs for which automatic reminders are displayed; and means for tuning to a given one of the programs for which the automatic reminders are displayed when the user selects the view now option for that program", i.e., prompting user with a selection based on user profile at step 402, and whenever the user accepts that selection at step 404, the system responses to allow the user to view the suggested program right away at step 406 (see Williams, Fig. 4).

Regarding claim 36, in further view of claim 1, Etheredge does not further mention “comprising means for monitoring which programs are watched by the user”; however, Williams teaches an exact same technique of monitoring which programs are watched by the user (see Williams, col. 1/line 49 to col. 2/line 21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Etheredge’s system with Williams’s disclosed technique of using a monitor controller system in monitoring the user pattern in selecting favorite programs in order to provide appropriate auto reminders for users in having a convenient tool for preparing in watching or recording an upcoming event in advance without having a chance to miss it (as discussed in claims 5-7 above).

As for claims 37-40, in further view of claim 36 above, these claims of “wherein the means for monitoring which programs are watched by the user further comprises means for monitoring viewing times, channels, and frequencies”; “comprising means for automatically modifying a preference profile with which the selected preference attributes and the selected preference levels are associated based on which programs are watched by the user”; “further comprising means for providing an opportunity to review and modify automatic profile modifications made by the means for automatically modifying”; “further comprising means for disabling the means for automatically modifying” are disclosed by Williams (Figs. 2-5 & 7; and col. 5/lines 20-51, and col. 9/line 10 to col. 12/line 44 for monitoring viewing times, channels and frequencies such as access times, reviewing and modifying a preference profile, or disabling for automatically modifying processes).

Regarding claims 89-90 and 178, in further view of claim 1 and 36 above, the steps of “further comprising: means for providing an option of creating a preference profile with which the selected preference attributes and the selected preference levels are associated: and means for providing an opportunity for setting non-program settings associated with the preference profile, wherein the non-program settings include audio settings for the user television equipment”; and

“further comprising: means for providing an option of creating a preference profile with which the selected preference attributes and the selected preference levels are associated; and means for providing an opportunity for setting non-program settings associated with the preference profile, wherein the non-program settings include display settings” are taught by Williams as Williams provides users the option to select audio settings in user profiles such as volume settings or low volume settings (see Williams, Figs. 7-9, and col. 10/lines 42-65).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cragun et al. (U.S. Pat. No. 5,973,683) disclose a dynamic regulation of television viewing content based on viewer profile and viewing history.

Herz (U.S. Pat. No. 6,029,195) discloses a system for customized electronic identification of desirable objects.

Barrett et al. (U.S. Pat. No. 6,005,597) disclose a method and apparatus for program selection.

6. **Any response to this action should be mailed to:**
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park IV, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Krista Bui
Art Unit 2611
February 06, 2002


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600